IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

FOTOMEDIA TECHNOLOGIES, LLC	§	
	§	
Plaintiff,	§	Case No. 2:07-CV-255-TJW
	§	
v.	§	Judge: Honorable T. John Ward
	§	
AOL LLC, AMERICA ONLINE, INC., PHOTOBUCKET.COM, INC., SHUTTERFLY, INC., CNET NETWORKS, INC., AND YAHOO! INC.,	§ § § § §	
	§	
Defendants.	§	

DECLARATION OF KATHERINE E. WYCHULIS CERTIFYING AMERICA ONLINE, INC.'S CORPORATE STATUS

I, Katherine E. Wychulis, declare as follows:

1. I am a board-appointed Assistant Secretary of AOL LLC, a Delaware limited liability company. I hereby certify on behalf of AOL LLC that:

2. AOL LLC is a Delaware limited liability company formed on May 14, 1985 as Quantum Computer Services, Inc. On November 27, 1991, Quantum Computer Services, Inc. changed its name to America Online, Inc. On April 3, 2006, America Online, Inc. was converted to a limited liability company and changed its name to AOL LLC.

3. On May 12, 2006, a corporate entity, America Online, Inc. (Delaware ID # 4154883) (the "New America Online") was incorporated in the State of Delaware. Attached hereto as **Exhibit 1** is a true and correct copy of the Certificate of Incorporation for the New America Online. AOL LLC is the sole shareholder of the New America Online.

4. The New America Online was created solely for the purpose of protecting AOL LLC's rights to the name "America Online, Inc.," and is an entity separate and apart from AOL LLC.

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5. The New America Online has no operations or assets.

6. All operations and assets of the entity formerly known as America Online, Inc. (Delaware ID # 2062709) continue to be owned by the same entity in its new corporate form, AOL LLC (Delaware ID # 2062709). The records in most of the Secretary of State offices where AOL LLC is qualified, including Texas, have been updated to reflect the conversion in corporate form and name change to AOL LLC. We are in the process of updating the remaining Secretary of State records where AOL LLC is qualified.

Executed on September 14, 2007, at Dulles, Virginia.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Katherine E. Wychulis